

CONTRACT MODIFICATION
Maryland State Board of Elections

Modification No.: 1

Contract No.: SBE-2002-01

Date of Modification: July 16, 2003 Contract Dated: BPW 12/12/2001

Between the State of Maryland, Maryland State Board of Elections (“SBE”) (Customer) and Diebold Election Systems, Inc. (“DESI”) (Contractor), Contract No: SBE-2002-01 (Phase II) modifications to provide 400 Direct Recording Electronic Voting Units, 16 VIBS Direct Recording Voting Units (total of 416 voting units) for four (4) (Phase I) counties. The contractor shall provide to Phase I jurisdictions the same level of maintenance and expanded management services specified for Phase II jurisdictions in Modification 2 to this contract. The equipment and services provided shall be at the level necessary to maintain the integrity of State and local primary, general and special elections.

As a result of redistricting and increased voter registration, SBE purchased additional voting units, listed above, for four (4) Phase I jurisdictions.

These services and equipment shall be provided in accordance with the Contract and the following exhibits, which are attached and incorporated by reference. If there is any conflict between the contract and the exhibit, the terms of the contract shall govern.

1. By reference, SBE document dated July 10, 2003, titled “Additional Voting Units and Services for Phase I Counties” is incorporated into the Contract.

All labor and materials required hereunder shall be provided in accordance with and subject to all of the provisions of the original Contract between the State and Contractor, which Contract remains in full force and effect except as expressly modified herein.

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IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers, agents or officials.

CONTRACTOR

Witness

By: _____(SEAL)
Corporate Officer/Authorized Agent

Title of Officer/Agent Printed Name

STATE OF MARYLAND
State Board of Elections

Witness

By: _____(SEAL)
Linda H. Lamone
Administrator

Approved by BPW: _____ Item No. _____

Approved as to form and legal sufficiency

this _____ day of _____, 2003.

Assistant Attorney General